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| FORM PTO-1390 | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | 21415-0013 | |
| | | | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | |
| INTERNATIONAL APPLICATION NO. PCT/AU03/000919 | | INTERNATIONAL FILING DATE July 17, 2003 | | PRIORITY DATE CLAIMED July 17, 2002 | |
| TITLE OF INVENTION TRANSCRIPTIONAL CONTROL ELEMENT, CHIMERIC CONSTRUCTS AND USES THEREFOR | | | | | |
| APPLICANT(S) FOR DO/EO/US James Langham DALE; Robert Maxwell HARDING; Douglas Kenneth BECKER; Gregory John HAFNER; Ilin YANG | | | | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> had been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20. below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included <input type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825 <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: Declaration and Power of Attorney | | | | | |

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| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
| 10/521,571 | | PCT/AU03/000919 | | 21415-0013 | |

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| 21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee\$200.00 <input type="checkbox"/> c) Search fee.....\$500.00 TOTAL OF ABOVE CALCULATIONS = | | | | CALCULATIONS PTO USE ONLY | |
| | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| TOTAL SHEETS | EXTRA SHEETS | NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number) | RATE | | |
| 82-100 = | /50 = | | x \$250.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | - 20 = | | x \$50.00 | | |
| Independent claims | - 3 = | | x \$200.00 | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$65.00 | |
| SUBTOTAL = | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$65.00 | |
| TOTAL NATIONAL FEE = | | | | | |
| Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | |
| TOTAL FEES ENCLOSED = | | | | \$65.00 | |
| 05/20/2005 GFREY1 00000065 10521571 01 FC:2617 65.00 DP | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |

a. ☒ A check in the amount of \$65.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

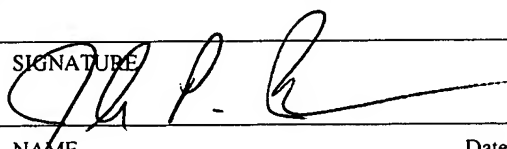
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment
To Deposit Account No. 08-1641 A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

HELLER EHRMAN LLP
 1717 Rhode Island Avenue, N.W.
 Washington, D.C. 20036
 Customer No. : 26633

SIGNATURE

 NAME
 John P. Isacson
 Date
 May 16, 2005
 REGISTRATION NUMBER
 33,715